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AND THE WORKFORCE
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July 5, 2006

The Honorable Howard P. "Buck" McKeon
Chairman
Committee on Education and the Workforce
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman McKeon:

In the aftermaths of the World Trade Center attack five years ago and Hurricanes Katrina and Rita last year, the Occupational Safety and Health Administration (OSHA) suspended indefinitely enforcement of worksite safety rules in the affected areas. Subsequent high rates of serious illness, disabilities, and fatalities among first responders engaged in rescue and recovery work at Ground Zero and along the Gulf Coast raise serious questions about whether enforcement suspension has become OSHA's standard practice in the aftermath of national disasters, and about what the consequences of such a practice might be for the health and safety of first responders and recovery workers.

Investigations at the World Trade Center and along the Gulf Coast have revealed that first responders and recovery workers toiled day and night in extremely toxic worksites without adequate safety equipment or protections. In light of such disturbing developments, OSHA's policy merits immediate Congressional oversight. We therefore request that the Committee on Education and the Workforce conduct hearings on this Administration's policy of forestalling indefinitely OSHA enforcement of workplace safety laws after a national disaster. These hearings should commence immediately.

Directly after the first plane hit the World Trade Center, hundreds of first responders, including firefighters, emergency medical technicians and paramedics, police officers, and volunteers joined in non-stop rescue efforts. The initial emergency workers were joined by thousands of construction workers, contractors, day laborers, and others from around the country in an eight-month-long recovery effort. All told, some 40,000 workers dug through the rubble at Ground Zero, initially searching for survivors and sifting for evidence while later clearing debris and engaging in clean-up operations.

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Although OSHA's website lauds the fact that no workers were killed on-site during the World Trade Center rescue and recovery operations, some 60 Ground Zero workers have since died from respiratory diseases, including rare and fatal lung scarring associated with exposure to asbestos, lead, and other dangerous toxins. Last month, a New Jersey coroner cited "9/11 dust" as the cause of death of a 34 year-old police detective who was at the World Trade Center during the bombing and worked at the Ground Zero site for some 500 hours afterwards with only a paper mask as protection.

Countless other emergency responders have been forced to retire on disability since working at the World Trade Center site. Some 300 first responders who worked at Ground Zero have contracted certain blood-cell cancers, including leukemia, lymphoma, Hodgkin's and myeloma, linked to exposure to toxic benzene found in jet fuel. More alarming still is that physicians at New York City's Mount Sinai Hospital, based on their medical screenings of a sample of 16,000 Ground Zero workers, predict that rates of cancers and lethal pulmonary disease among these workers will increase exponentially in the coming months and years, and are generally anticipated to far exceed rates among the general public.

It appears that OSHA's decision to forestall any safety enforcement and limit itself to providing only advice and technical assistance at Ground Zero was a major factor in the failure to safeguard thousands of workers at the site. In light of the fact that OSHA repeated its decision to halt enforcement of safety rules in the aftermath of another national disaster, Hurricanes Katrina and Rita, immediate oversight by our Committee is critical.

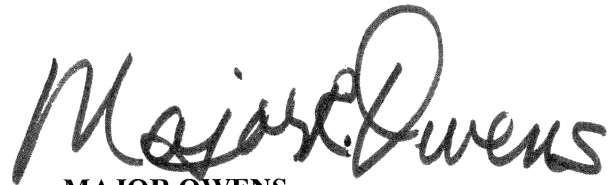
There is no question that rescue and recovery work is dangerous. But we have an obligation to minimize the danger whenever and however possible. On behalf of the thousands of brave emergency personnel and others who worked tirelessly at Ground Zero as well as those who have been engaged in continuing recovery and reconstruction efforts in the Katrina and Rita-ravaged regions, we urge you to hold these oversight hearings without delay. We would appreciate your immediate attention to our request.

Sincerely,



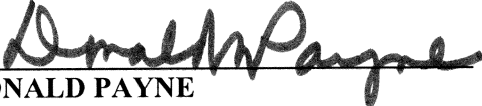
GEORGE MILLER


Senior Democratic Member
Committee on Education and the Workforce

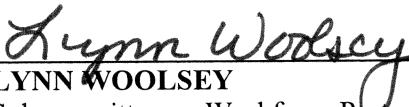



MAJOR OWENS

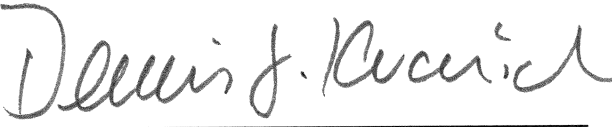
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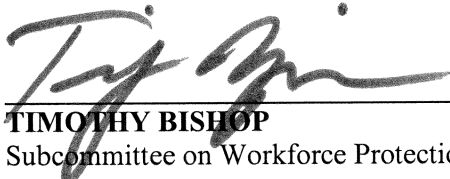

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